



After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Carr's Report and Recommendation and incorporates it herein.

It is therefore

**ORDERED** that this case is dismissed without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

S/ R. Bryan Harwell  
R. Bryan Harwell  
United States District Judge

Florence, South Carolina  
March 21, 2006